

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ROSE BERKUN, M.D.,

Plaintiff,

v.

**ORDER**

ST. JOSEPH HOSPITAL OF CHEEKTOWAGA,  
NEW YORK, CATHOLIC HEALTH SYSTEM, INC.,  
SAYEED NABI, M.D., MOHAMAD FAZILI, M.D.,  
and RAJINDER SACHER, M.D.,

06-CV-510S

Defendants.

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Currently pending before this Court are two employment discrimination cases filed by Plaintiff Rose Berkun against the above-named defendants — this case and 04-CV-662S. On October 23, 2006, Plaintiff filed a cross motion seeking to consolidate these two actions. (Docket No. 10.) Defendants have not opposed Plaintiff's request, and the parties have essentially treated these cases as one, agreeing to identical and simultaneous discovery and filing near-identical motions in both actions.

Because these actions involve the same parties, the same set of facts, substantially the same claims, and similar discovery and legal issues, this Court finds that consolidation serves judicial economy and is in the best interests of the parties. See Fed. R. Civ. P. 42(a); Johnson v. Celotex Corp., 899 F.2d 1281, 1284 (2d Cir. 1990). Plaintiff's motion will therefore be granted.

IT HEREBY IS ORDERED, that Plaintiff's Cross Motion to Consolidate (Docket No. 10) is GRANTED.

FURTHER, that 04-CV-662S and 06-CV-510S are consolidated into a single action under 06-CV-510S.

FURTHER, that the Clerk of the Court is directed to file this order in 04-CV-662S and then close that case.

SO ORDERED.

Dated: March 14, 2008  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge